

2 October 2012

The Hon Ruth Dyson
Chair
Government Administration Select Committee
Parliament Buildings
Molesworth Street
Wellington

Dear Minister

Lobbying Disclosure Bill

The New Zealand Medical Association (NZMA) is New Zealand's largest medical organisation and has a pan professional membership. We have around 5,000 members who come from all areas of medicine including specialists, general practitioners, doctors-in-training and medical students.

The NZMA aims to provide leadership of the medical profession, and promote:

- professional unity and values, and
- the health of all New Zealanders.

The key roles of the NZMA are to:

- provide advocacy on behalf of doctors and their patients
- provide support and services to members and their practices
- publish and maintain the Code of Ethics for the profession
- publish the New Zealand Medical Journal

The NZMA understands that the intention of the Government in introducing the Lobbying Disclosure Bill is to foster integrity and transparency in lobbying activities and we support this goal.

We do however wish to raise two matters in relation to the Bill as it is currently drafted:

- a) The definition of lobbying activity in Clause 7 would suggest that the NZMA would not be deemed to be a lobbying organisation as we are not engaged on behalf of a client to undertake lobbying activities, whereas the definition of a lobbying organisation in Clause 4 includes professional organisations along with trade and

voluntary organisations. As such we are unclear as to whether the NZMA is to be covered by the proposed legislation or not.

- b) If it is determined that the NZMA, and similar professional bodies are included in the above definitions – was that in fact the intention?

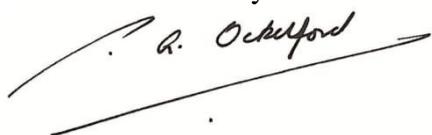
We note that MP Charles Cheval has filed a supplementary order paper which proposes to redefine the definition of an organisation to include professional organisations, associations and societies, but excludes “*a group of persons acting together to pursue objects of a national, patriotic, religious, philanthropic, charitable, scientific, artistic, social, professional, or sporting character, or other similar objects*”. As a professional organisation with charitable objects this would appear to exclude the NZMA.

The explanatory note to the Bill states that this Bill follows recommendations by the Public Governance Committee of the OECD. We would therefore suggest that the principles set down in these recommendations be further examined when considering the questions raised above and the overall intention of the Bill. These core principles include the advice that rules around lobbying should “primarily target those who receive compensation for carrying out lobbying activities, such as consultant lobbyists and in-house lobbyists” and that the benefits of engagement and free flow of information should be acknowledged and preserved. The recommendations of the Committee also focus on the need to allow all stakeholders fair and equitable access to participate in the development of public policies but at the same time it acknowledges that it is necessary to balance any transparency measures and compliance with the diversity of entities engaging with Government.

We trust these matters will be considered and an appropriate scope of regulation determined and clearly defined.

The NZMA does not wish to appear before the Select Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read "Dr Paul Ockelford", written over a horizontal line.

Dr Paul Ockelford
Chair, NZMA